



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

NOV 2 2004

GROUP 3600

In re Application of:

JACOBS, et al.

Serial No.: 09/728,099

Filed: December 1, 2000

For: **E-MAIL SOFTWARE AND METHOD AND SYSTEM FOR DISTRIBUTING  
ADVERTISEMENTS TO CLIENT DEVICES THAT HAVE SUCH E-MAIL  
SOFTWARE INSTALLED THEREON**

Art Unit: 3622

Examiner: R. Alvarez

Docket No. 000385

## CERTIFICATION UNDER 37 CFR § 1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, Box 1450, Alexandria, VA. 22313-1450, on October 27, 2004.

Tami M. Procopio

## INFORMATION DISCLOSURE STATEMENT

MAIL STOP RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This paper accompanies a Request for Continued Examination in the identified application. The applicants submit herewith, in accordance with 37 CFR § 1.98, the patents, publications and other information listed on the enclosed Form PTO-1449.

The references submitted herewith are those of which Applicants are aware, which they believe may be material to the examination of this application and, with respect to which there may be a duty to disclose in accordance with 37 CFR § 1.56. While the references identified may be material to the examination of this application pursuant to 37 CFR § 1.56, the citation of these references is not intended to constitute an admission that any reference referred to herein is prior art to the invention of this application, unless specifically designated as such. Additionally, the filing of this Information Disclosure Statement shall not be construed to mean that any search has been made or, that if made, such search was complete or exhaustive, or that no other material information as defined in 37 CFR § 1.56 exists.

In accordance with 37 CFR § 1.97(b)(4), this Information Disclosure Statement is being submitted before mailing of the first Office Action and concurrent with the filing of a request for continued examination under § 1.114.

A list of the references is set forth on Form PTO-1449, which is enclosed herewith, along with a copy of each cited reference. Applicants respectfully request that the Examiner return to Applicants a copy of the Form PTO-1449 indicating consideration of the references cited thereon.

References A1, B1, and C1 were forwarded to the applicants by the Office in two Notifications identifying prior art submitted in late protests in co-pending applications 09/728,651 and 09/732,158.

Applicants do not believe that any fees are due. If, however, it is determined that fees are owed, Applicants hereby authorize that such fees be charged to Deposit Account No. 17-0026.

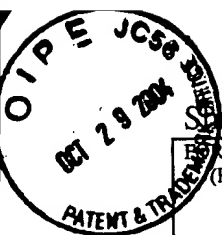
Respectfully submitted,

Date: October 27, 2004

By: Robert J. O'Connell  
Robert J. O'Connell  
Registration No. 44,265  
(858) 651-4361

QUALCOMM Incorporated  
Attn: Patent Department  
5775 Morehouse Drive  
San Diego, California 92121-1714

Telephone: (858) 658-5787  
Facsimile: (858) 658-2502



Sheet 1 of 1

FORM PTO-1449 (REV. 7-80)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 000385	SERIAL NO. 09/728,099
		APPLICANT JACOBS, et al	
		FILING DATE December 1, 2000	GROUP 3622

DATE MAILED: October 27, 2004

RECEIVED  
NOV 2 2004  
GROUP 3600

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A1	6 1 4 1 0 1 0	10/31/00	Hoyle	345	356	
	A2	6 6 2 5 5 7 8	9/23/03	Spaur et al.	705	14	
	A3	6 3 3 9 7 9 5	01/15/02	Narurkar et al.	709	246	
	A4	6 6 5 8 4 6 5	12/02/03	Touboul	709	223	
	A5	6 1 3 4 5 8 4	10/17/00	Chang et al.	709	219	
	A6	6 3 8 1 7 0 9	4/30/02	Casagrande et al.	714	18	
	A7	5 9 1 8 0 1 4	06/29/99	Robinson	395	200.49	
	A8	6 5 1 6 3 3 8	02/04/03	Landsman et al.	709	203	
	A9	6 2 9 8 3 3 2	10/02/01	Montague	705	27	
	A10	6 6 0 5 1 2 0	08/12/03	Fields et al.	715	513	
	A11	5 9 5 5 7 1 0	09/21/99	DiFranza	187	396	
	A12	6 2 1 6 1 1 2	04/10/2001	Fuller et al.	705	14	
	A13	6 0 6 4 9 8 2	05/16/2000	Puri	705	27	
	A14	6 4 8 7 5 3 8	11/26/2002	Gupta et al.	705	14	
	A15	5 8 5 4 8 9 7	12/29/1998	Radziewicz et al.	395	200.54	
	A16	6 3 4 5 2 8 8	02/05/2002	Reed et al.	709	201	
	A17	6 1 4 4 9 4 4	11/07/2000	Kurtzman, II et al.	705	14	
	A18	5 7 9 6 9 5 2	08/18/1998	Davis et al.	395	200.54	

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	Ref No	DOCUMENT NUMBER	DATE	COUNTRY	NAME	CLASS	SUB CLASS
	B1	W O 99 5 5 0 6 6	10/28/99	PCT	Zetmeir	H04M	3/00

## OTHER PRIOR ART (Including Author, Title, Date, Pertinent Page, Etc.)

C1	Claria Company Information, Corporate Overview, <a href="http://www.claria.com/companyinfo">www.claria.com/companyinfo</a> 4/12/2004
EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	